

MEMORIAL

RESPECTING

CANTON CLAIMS,

DATED MAY '3, 1861.

*Presented to the House of Commons, by Command of Her Majesty, in pursuance of their
Address dated May 10, 1861.*

LONDON:
PRINTED BY HARRISON AND SONS.

for—

“A Copy of the Memorial presented to the Secretary of State for Foreign Affairs, on the 6th day of May, 1861, by a Deputation of Merchants of the City of London interested in the Trade with China.”

Messrs. Matheson & Co., and others, to Lord J. Russell.

My Lord,

London, May 3, 1861.

WE, the Undersigned, having claims against the Chinese Government for the destruction of property at Canton, or acting on behalf of our correspondents in China having similar claims, beg to submit for your Lordship's consideration the following statement of facts:—

On the 14th and 15th December, 1856, the residences, offices, and warehouses belonging to British, American, and French subjects at Canton were burned down at the instigation of the Chinese authorities.

In 1858, Mr. Alcock was appointed Special Commissioner to receive and examine the British claims for indemnity on account of the said acts of the Chinese Government, at which time the amounts to be recovered were settled by him.

On the 26th June, 1858, a Treaty was signed at Tien-tsin containing a Separate Article in the following terms, viz:—

“It is hereby agreed, that a sum of 2,000,000 taels, on account of the losses sustained by British subjects through the misconduct of the Chinese authorities at Canton; and a further sum of 2,000,000 taels on account of the military expenses of the expedition which Her Majesty the Queen has been compelled to send out for the purpose of obtaining redress, and of enforcing the due observance of Treaty provisions; shall be paid to Her Majesty's Representative in China, by the authorities of the Kwang-tung province.”

This Treaty was never carried out.

On the 24th October, 1860, a Treaty was signed at Peking, the IIIrd Article of which contained words to the following effect, viz:—

“In order to prevent future discussion, it is moreover declared, that of the 8,000,000 taels herein guaranteed, 2,000,000 will be appropriated to the indemnification of the British mercantile community at Canton, for losses sustained by them, and the remaining 6,000,000 to the liquidation of the war expenses.”

Since the date of the signing of the last Treaty, a considerable sum of money has been received by the British authorities in China, in part liquidation of the amount guaranteed.

We have seen, with great surprise, a statement reported to have been made by the Chancellor of the Exchequer in the House of Commons, to the effect that it is the intention of Her Majesty's Government to delay payment of our claims, and only to make us payments on account, *pro rata* with the Government, of such sums as have been and may be hereafter received.

In the former China war, the claims of British subjects had precedence over all others, and we confidently assert our belief that no difference of opinion existed on this point between the merchants and the British authorities in China in the present instance. In proof of this, we beg reference to the wording of the respective Treaties of 1858 and 1860, where it will be observed that the indemnity for private claims is invariably placed first, and separated from the amount to be paid to the Government, which is designated a remainder; and therefore that private losses are first to be made good. Such an interpretation is no less demanded by the justice of the case. These claims date from the destruction of the property, a period long prior to the time when the war expenses were incurred, and their non-payment is of excessive hardship to individuals who have already waited four years, while a further indefinite period of suspense is now in prospect. We do not see that a doubt can arise as to the meaning which is

conveyed by the clauses referring to this subject, but should any still exist in your Lordship's mind, it will at once be removed when we add that the above intention was confirmed by the result of an interview accorded to a deputation of merchants by Mr. Bruce, Her Majesty's Plenipotentiary in China, who stated that he considered the matter of indemnity for private losses the most prominent he had to bring forward, and the one the most urgent to settle; at the same time giving those present the assurance that they would be paid from the first receipts under the Treaty.

The only reason advanced for the proposed change in the disposition of the funds in hand is, that the war and consequent expenses were undertaken by the people of England for the purposes of the China merchants. Even if this were so, as British subjects, and part of the people of England, we submit that we are entitled to just protection, and speedy indemnification against foreign aggression; but we respectfully deny that this was the fact. The war arose out of the case of the lorcha "Arrow," with which the merchants had no concern, and their property was destroyed in retaliation for the acts of the British authorities.

We conclude, my Lord, by asking no more than we believe to be justly due, viz., that as Englishmen we should not be placed in a worse position than Americans or Frenchmen, who have already received the far larger proportion of the amount of their losses incurred at the same time as our own, and that we should at once be paid out of the moneys now in hand.

We have, &c.

(Signed) MATHESON & Co., *Agents for Jardine, Matheson & Co., of China.*

DENT, PALMER & Co., *Agents for Dent & Co., of China.*

T. A. GIBB & Co., *Agents for Gibb, Livingston & Co., of China.*

FINLAY, HODGSON & Co., *Agents for Turner & Co., of China.*

ASHTON & Co., *Agents for Gilman & Co., of China.*

For the Agra and United Service Bank, Limited,

W. SHIPMAN, *Officiating General Manager.*

H. G. GORDON, *Chairman of the Oriental Bank Corporation.*

For the Chartered Mercantile Bank of India, London, and China,

D. T. ROBERTSON, *General Manager.*

HOW BROTHERS & Co., *Agents for W. H. Wardley & Co., China.*

GREGSON & Co., *Agents for Mr. Samuel Mackenzie, Canton.*

GEO. LYALL, *of Lyall, Still & Co., China.*

H. H. LINDSAY, *for Lindsay & Co., China.*

GEORGE BARNET, *for the late Firm of Neave, Murray & Co.*

D. FLETCHER, *of Fletcher and Co., China.*

T. W. BRADLEY & Co., *Agents for D. W. Mackenzie & Co., Canton.*

D. ALLARDIEE, *Agent, Commercial Bank of India, London.*

WILLIAM DICKINSON & Co.

CHINA.

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